

FARMINGTON CITY COUNCIL MEETING

Tuesday, October 29, 2013

WORK SESSION

Present: Mayor Scott Harbertson, Council Members Cory Ritz, Cindy Roybal, Jim Talbot and Jim Young, City Manager Dave Millheim, Development Director David Petersen, Associate Planner Eric Anderson, City Recorder Holly Gadd and Recording Secretary Cynthia DeCoursey. Council Member John Bilton joined the meeting via telephone.

Future Elementary School in West Farmington

Mayor Harbertson said the Davis School District (DSD) purchased property in west Farmington for a new elementary school. **Chase Rogers**, Operational Planner with the Davis School District (DSD), said it was never their intent to have only one access road (from the north). They anticipated that the current property owners would sell the remainder of their property and develop it prior to the construction of the school, but a plan should be in place if that does not happen. The timing of construction is subject to funding flow, but spring 2015 is the earliest construction would begin. The City and DSD will sign an agreement outlining the transportation plan, and DSD will improve the road from the school site to Glovers Lane. Owners of the abutting parcels would be obligated to pay their share of connecting to the street. **Cory Ritz** said the other access needs to be on 1100 W rather than 950 W, and there was discussion regarding the 55-foot public easement on the north side of the property which DSD plans to abandon.

Avenues at Station Park Schematic Plan

Leslie Mascaro, 14547 S Hedgerose Drive, Herriman, representative for Henry Walker Homes (HWH), informed the Council that their architect redesigned the Avenues at Station Park and she showed the new renderings. HWH will request preliminary plat approval at the Planning Commission meeting on November 14th. **David Petersen** said the Council is not required to review the preliminary plat, but the Council said they would like to see the proposal so it will be placed on the December 3rd agenda.

Amendment of Development Agreement for Farmington Creek Estates, Phase IV (PUD)

Staff informed the Council that the developer is requesting permission to begin the construction of homes in this Subdivision. He has received a CLOMR letter from FEMA but is still waiting for LOMR approval. However, since the staff report was written, he received LOMR approval on two lots and is requesting that he be allowed to begin construction on those two lots.

REGULAR SESSION

Present: Mayor Scott Harbertson, Council Members Cory Ritz, Cindy Roybal, Jim Talbot and Jim Young, City Manager Dave Millheim, Associate Planner Eric Anderson, City Recorder Holly Gadd, and Recording Secretary Cynthia DeCoursey. Council Member John Bilton joined the meeting via telephone. Youth City Council Member Austin Lemon was also in attendance.

CALL TO ORDER:

Roll Call (Opening Comments/Invocation/Pledge of Allegiance)

Jim Talbot offered an invocation, and **Dave Millheim** led the Pledge of Allegiance.

REPORTS OF COMMITTEES/MUNICIPAL OFFICERS:

Executive Summary for Planning Commission meeting held October 10, 2013

The Summary was included in the staff report. **Cory Ritz** asked if the Farmington Bungalows Subdivision had a reasonable chance of being approved, and Associate Planner **Eric Anderson** said there has been some resistance in the neighborhood regarding access from State Street, so the developer is working on access from 300 W. **Cindy Roybal** asked about the amendment to the Zoning Ordinance regarding driveways, and **Eric Anderson** said the ordinance currently does not allow any point of a driveway slope to be above 14% which can be very problematic. This amendment will allow an average of the slope to be considered which will allow more flexibility.

PRESENTATION OF PETITIONS AND REQUESTS:

Amendment of Development Agreement for Farmington Creek Estates, Phase IV (PUD)

Candland Olsen, 776 Woodmoor Circle, Bountiful, said the process for this Phase has been very frustrating. He hauled 8,000 yards of fill dirt to the site (at a cost of \$40,000) and borrowed \$60,000 to pay for road and canal improvements. The fill work was finished in August, and the City Engineer did not stamp the approval for 30 days. FEMA has had the application for 90 days and recently gave LOMR approval for Lots 406 and 407, and the other four lots should be reviewed and approved within several days.

Motion:

Cory Ritz made a motion to grant a variance to the Development Agreement for the Farmington Creek Estates Phase IV (PUD) Subdivision which will allow the developer to obtain building permits for Lots 406 and 407—the two lots which have received LOMR approval from FEMA. Building permits for the remaining lots may be obtained upon LOMR approval. The motion was seconded by **Jim Talbot** and unanimously approved.

Farmington Ranches Trail Budget Amendment

Dave Millheim explained that the City is working to complete a portion of this trail, and staff is recommending approval of this budget amendment.

Ron Robinson, 92 N Country Bend Road, concurred that **Chairman Chipman** and the Trails Committee are very conservative and they realize that the City's funds are limited. They choose 5 top priority projects each year and their main goal is to connect the trails to neighborhoods and make sure they are safe, family friendly and accessible to everyone.

Motion:

Jim Young made a motion to approve the allocation of approximately \$30,000 to extend the Farmington Ranches Trail with 10% to be taken from the trail improvements reserve and 90% to be taken from the General Fund balance. **Cindy Roybal** seconded the motion which was unanimously approved.

Discussion of potential Skate Park

Mayor Harbertson said this item will be discussed prior to the next budget cycle.

CONSIDERATION OF ORDINANCES/RESOLUTIONS/AGREEMENTS

Farmington City's position on proposed Davis County Jail Expansion

Mayor Harbertson reported that the County recently passed a resolution with the intent to expand the jail facilities to house state prisoners. The City feels this action was in direct violation of an agreement made between the City and the County in 2002 regarding potential jail expansions. **Jim Talbot** and **Dave Millheim** met with each of the three Davis County Commissioners to express the City's opposition to the resolution.

Motion:

Jim Talbot made a motion to approve a Resolution of the Farmington City Council expressing opposition to any expansion of the Davis County Jail facilities and to direct staff to send a copy of the Resolution with an appropriate transmittal letter to the following:

- Brent Gardner, County Association of Governments
- Members of PRADA (Prison Relocation Committee)
- Davis County Commissioners
- State Legislators for Davis County

and to direct staff to request of the Utah League of Cities and Towns a formal League position for potential jail expansions and/or prison relocation decisions being pursued by the County(s) and the State only with the support of the affected local jurisdiction. **Cory Ritz** seconded the motion which was unanimously approved.

SUMMARY ACTION

1. Pluralsight Software Company Advertising Assistance
2. Revocation and Abandonment of Farr Trail Easement
3. Approval of Minutes from October 1, 2013
4. Approval of Minutes from October 15, 2013

Motion:

Jim Young made a motion to approve the four items on the Summary Action List. **Cory Ritz** seconded the motion which was unanimously approved.

CITY MANAGER REPORTS:

- A local farmer has asked for permission to lease the Old Farm parcel. Following a brief discussion, the Council directed staff to determine the status of water rights on the property and to prepare a formal lease with a condition to review the lease annually.
- A painful chapter in the City's lawsuit history closed—the Court ruled in the City's favor regarding the death of Brian Wood in September 2008. All officers involved were cleared of any claims from the victim's family.

Mayor – Scott Harbertson

- He referred to an email regarding the restriping of Park Lane and said it is impossible to see what is ahead on the I-15 southbound because of the barricade. **Dave Millheim** pointed out that because the structural wall cannot be removed, UDOT will install a “No Right Turn on Red Light” sign at that location and large bridge signs in the area are being studied. The **Mayor** said dotted lines are needed when turning onto northbound I-15 and onto US 89. The Council discussed many additional examples of frustration regarding the signage and striping in the Park Lane area.
- He thanked **Jim Talbot**, **John Bilton**, **Kristen Harbertson**, and the three other candidates for their efforts at the “Meet the Candidate” event—65 people were in attendance.
- Last week UTA held its Board of Trustees meeting in Farmington, and City staff and officials took them on a tour of Station Park, the new trail, and the Community Center. They were very complimentary of Farmington City's efforts.

City Council

Jim Talbot:

- He asked for permission to speak with **Chief Hansen** regarding the home at 1061 Walker Lane, and the Council and staff encouraged him to do so.
- He expressed concern regarding the sound system. He recently attended a Planning Commission meeting that was standing room only and sat in the back and could not hear anything that was said.

Cindy Roybal:

- She expressed appreciation for the flowers the City sent to her mother following her recent heart attack.

- She attended the Oct. 24th Planning Commission meeting, and a request from Ovation Homes for 64 lots and a 150-unit assisted living facility on 23.5 acres at 1800 N 1350 W (the Tanner property) was denied. The applicants were shocked and asked her to meet with them and tour a similar project in Layton (she lives on a one-acre lot across the street from the Tanner property). The developer's niche is smaller homes, and although most people no longer want 1-acre lots, the density may be too high for this Large Residential area. This developer's niche is smaller homes. She also questioned their proposal for open space—a trail through a wilderness area—because although it is beautiful, it is not safe because it is out of the way and very private.

CLOSED SESSION

Motion:

At 8:35 p.m. **Jim Talbot** made a motion for the Council to go into a closed meeting to discuss the acquisition of real property. The motion was seconded by **Jim Young** and unanimously approved.

Sworn Statement

I, **Scott C. Harbertson**, Mayor of Farmington City, do hereby affirm that the items discussed in the closed meeting were as stated in the motion to go into closed session and that no other business was conducted while the Council was so convened in a closed meeting.



Scott C. Harbertson, Mayor

Motion:

At 9:10 p.m. a motion to reconvene into an open meeting was made by **Jim Young**. The motion was seconded by **Cory Ritz** and unanimously approved.

ADJOURNMENT

Motion:

Jim Talbot made a motion to adjourn the meeting. The motion was seconded by **Cindy Roybal** and unanimously approved, and the meeting was adjourned at 9:15 p.m.



Holly Gadd, City Recorder
Farmington City Corporation